

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

CR 17-324 DSD/KMM

UNITED STATES OF AMERICA,

**INDICTMENT**

Plaintiff,

18 U.S.C. § 286

18 U.S.C. § 287

v.

18 U.S.C. § 1028A(a)(1)

ELLIS ALANCE BANKS,

Defendant.

THE UNITED STATES GRAND JURY CHARGES THAT:

**COUNT 1**

(Conspiracy to Defraud the United States)

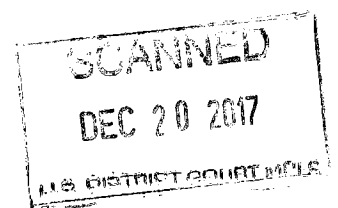
1. Beginning at least on or about January 31, 2013 and continuing until at least on or about May 28, 2016, in the State and District of Minnesota, the defendant,

**ELLIS BANKS,**

knowingly entered into an agreement, combination and conspiracy with others, known and unknown to the grand jury, to defraud the United States by obtaining and aiding others to obtain the payment and allowance of false, fictitious and fraudulent claims, on behalf of themselves and others, by submitting false claims for income tax refunds to the United States Department of the Treasury through the Internal Revenue Service ("IRS").

**Purpose of the Conspiracy**

2. The purpose of the conspiracy was to obtain money, in the form of fraudulent income tax refunds, by filing income tax returns that reported false or inflated income, false education credits and false dependents.



### **Manner and Means of the Conspiracy**

3. It was part of the conspiracy that the defendant and others obtained personal identifying information, including dates of birth and social security numbers, of individuals for use in filing fraudulent income tax returns.

4. It was further part of the conspiracy that the defendant prepared and electronically filed fraudulent income tax returns for tax years 2010 through 2015 in the names of the individuals whose personal identifying information he and others, known and unknown to the grand jury, obtained. Virtually all of the returns were filed using the tax preparation software Turbo Tax and were transmitted in interstate commerce by means of wire communications.

5. It was further part of the conspiracy that the defendant reported on the returns false or inflated wage income, false education credits and false dependents in order to qualify for fraudulent income tax refunds.

6. It was further part of the conspiracy that the defendant, by filing returns containing false information, caused the IRS to issue income tax refunds in the names of the individuals whose information he and others obtained and used, and to which those individuals were not entitled.

7. It was further part of the conspiracy that the defendant recruited individuals to open bank accounts to be used for the deposit of the fraudulent tax refunds issued based on the false and fraudulent tax returns filed by the defendant.

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8. It was further part of the conspiracy that the defendant caused the refunds to be deposited onto prepaid debit cards or into bank accounts of other individuals and to which the defendant had access.

9. The scheme involved the filing of more than 250 fraudulent claims seeking income tax refunds totaling approximately \$1,504,042;

All in violation of Title 18, United States Code, Section 286.

**COUNTS 2-8**  
(Making False Claims for Tax Refunds)

10. On or about the dates set forth below, in the State and District of Minnesota, the defendant,

**ELLIS BANKS,**

made and presented and caused to be made and presented to the Internal Revenue Service, an agency of the United States Department of the Treasury, claims against the United States for payment of refunds of taxes, which he then and there knew to be false, fictitious, and fraudulent. The defendant made the claims by preparing and causing to be prepared, and presenting and causing to be presented to said agency, U.S. Individual Income Tax Returns, Forms 1040 and 1040A, in the names of the individuals and amounts described below, knowing that the claims were false, fictitious, and fraudulent in that the named individual was not entitled to the refund that was requested:

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<b>Count</b>	<b>Tax Year</b>	<b>Date Filed (on or about)</b>	<b>Taxpayer</b>	<b>Refund Amount Claimed (\$)</b>
2	2012	February 20, 2013	A.S.	\$8,143.00
3	2012	February 27, 2013	B.W.	\$7,004.00
4	2013	January 28, 2014	A.J.	\$8,126.00
5	2013	February 4, 2014	A.K.	\$8,274.00
6	2014	April 3, 2015	T.J.	\$5,558.00
7	2015	January 28, 2016	K.S.	\$5,277.00
8	2015	February 4, 2016	F.C.	\$5,329.00

All in violation of Title 18, United States Code, Section 287.

**COUNT 9**  
(Aggravated Identity Theft)

11. The Grand Jury realleges and incorporates by reference Paragraphs 1 through 10 above as if fully set forth herein.

12. On or about January 28, 2016, in the State and District of Minnesota, the defendant,

**ELLIS BANKS,**

knowingly transferred, possessed, and used, without lawful authority, the means of identification of another person, to-wit: the name and social security number of victim J.K., during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), to-wit: wire fraud; all in violation of Title 18, United States Code, Section 1028A(a)(1).

A TRUE BILL

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Acting United States Attorney

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FOREPERSON